



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 6, 2015

Ms. Devona Palomo
Kirby Police Department
4130 Ackerman Road
Kirby, Texas 78219

Dear Ms. Palomo:

The Office of the Attorney General ("OAG") received the enclosed complaint alleging the Kirby Police Department (the "department") is overcharging for copies of public information under the Public Information Act (the "Act"), chapter 552 of the Government Code. The complaint was assigned ID# 562682.

The department received a request for nineteen categories of information related to specified officer involved shootings during a specified time period. The department quoted the requestor a charge of \$8.00 for paper copies of two reports, totaling an estimated eight pages. The requestor believes the charges are excessive.

The department appears to be charging \$4.00 per report for paper copies. This office notes a governmental body may charge \$0.10 per page for paper copies. *See* 1 T.A.C. § 70.3(b)(1). Further, because the responsive information provided is less than fifty pages, the department may not include costs of materials, labor, or overhead. *See* Gov't Code § 552.261(a). Accordingly, the total amount the department is allowed to charge for eight paper copies is \$0.80. Therefore, the department is required to notify the requestor of the amended charges to receive copies of the requested information. On receipt of a copy of the department's notice to the requestor, we will close our file on this matter.

If you have any questions or need further assistance, please contact us at (888) 672-6787.

Sincerely,

A handwritten signature in black ink, appearing to read "Tamara R. Strain", is written over a horizontal line.

Tamara R. Strain
Assistant Attorney General
Education and Enforcement Section
Open Records Division

TRS/sh

Ref: ID# 562682

Enclosure

c: Ms. Kristin Hoffman
3945 Winnebago Street
St. Louis, Missouri 63116
(w/o enclosures)